REMARKS/ARGUMENTS

Claims 1-10 are pending. Of these, independent claims 1 and 6 and dependent claim 10 have been amended.

The claims and the related specification have been amended herein to refer specifically to the cementitious/reinforcing material as containing an inorganic binder enveloping particles. Support for this is found in U.S. Patent No. 5,846,894, which is one of several patents which have been incorporated by reference, with the material in the '894 patent having been identified as preferred. The '894 patent identifies in its Abstract, for example, "a structural material comprising waste particles enveloped by an inorganic binder".

No such use of a reinforcing/cementitious material containing an inorganic binder enveloping particles is disclosed or suggested in the references. Rather, the frame 40 defining the so called bands 44, 46, 48 in Billingham U.S. Patent No. 5,941,616 are said in the preferred embodiment to be "formed from molded plastic such as polypropylene". Col. 2, lines 63-64. Further, the so called bands 14 in Miller U.S. Patent No. 5,316,828 are said to be "any suitable resinous, polymeric, or similar material that may be applied in liquid form". Col. 1, line 67 to col. 2, line 1. These organic materials are very different than the band material of "inorganic binder enveloping particles" such as recited in the claims.

Moreover, Billingham and Miller are otherwise distinctly different from the claimed invention in other respects.

Billingham discloses a box frame system, in which the organic reinforcing "bands" comprise a rigid frame 40 into which a separate panel 70 may be inserted (*see, e.g.*, col. 3, lines 31-34). It is not clear to the undersigned that there is any mechanical connection of the panels 70 to the frames 40 at all, as the panels 70 appear to just sit in the frames 40. In any event, Billingham clearly does not suggest that the bands be cured on the panel as recited in the claims, and the advantageous bonding resulting from the recited cured structure certainly is not present in Billingham. Moreover, the Billingham frame/panel structure is not a building construction panel as recited in the claims, but instead is more akin to a building. That is, the panels 70 shown in Billingham are as susceptible to damage as the prior art panels when being handled, and their assembly with frames 70 such as taught in Billingham is just a last step in the manufacture of an assembled product (with the frame 40 constituting reinforcing/cementitious bands such as recited in the claims no more so than are 2 x 4 building frame studs to which dry wall panels are nailed in a building.

Moore, on the other hand, teaches use of organic bands of liquid material which set up in place on a corrugated fiberboard. The "bands" extend in one direction (transversely across the valleys and tips of the corrugated material (see Figs. 3A and 3B, and col. 3, lines 15-19). Moreover, these bands are shown not at the edges of the material, or diagonally between corners, as variously recited in many of the pending claims (*i.e.*, claims 3-5 and 8-10), but extend merely parallel to one another in the transverse direction and between the edges. Thus, the advantages attendant with the present invention from such bands being along two or four edges, providing protection at locations most likely to be damaged when handling, is neither taught nor suggested by Moore.

Accordingly, claims 1-10 are submitted to be allowable. Early notification to that effect is respectfully requested.

Respectfully submitted,

WOOD, PHILLIPS, KATZ,
CLARK & MORTIMER

By Jeffrey L Clark
Jeffrey L. Clark
Reg. No. 29,141

March 11, 2004

500 West Madison Street
Suite 3800
Chicago, IL 60661-2511
(312/876-1800